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10 *Union Pacific Railroad Company*

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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11  
12 IN THE UNITED STATES DISTRICT COURT  
13  
14 FOR THE DISTRICT OF NEVADA

15 UNION PACIFIC RAILROAD COMPANY,  
16 a Delaware corporation,

17 Plaintiff,

18 v.

19 WINECUP GAMBLE, INC., a Nevada  
20 corporation; and PAUL FIREMAN, an  
21 individual,

22 Defendants.

Case No. 3:17-cv-00477-LRH-VPC

*ORDER*

23 **STIPULATION AND REQUEST TO  
24 VACATE CASE MANAGEMENT  
25 CONFERENCE**

26 Plaintiff UNION PACIFIC RAILROAD COMPANY ("Plaintiff"), Defendant WINECUP  
27 GAMBLE, INC., and Defendant PAUL FIREMAN ("Defendants") hereby stipulate and request  
28 that the case management conference scheduled for April 16, 2018 at 10:00 a.m. be vacated.

In support of this request, the parties stipulate:

1. Defendant Fireman served Plaintiff with his First Set of Discovery Requests, consisting of interrogatories and requests for production of documents on December 18, 2017.
2. Plaintiff provided responses to the interrogatories and requests for production of documents on January 29, 2018.

3. Due to objections to many of the requests for production of documents, the parties held a telephonic meet and confer on February 2, 2018.

4. Plaintiff is diligently working to gather and produce the documents in response to Fireman's request for production of documents, but they are voluminous. Plaintiff anticipates disclosing documents to Fireman this week.

5. On March 6, 2018, Plaintiff served Defendant Winecup Gamble, Inc. with its first set of interrogatories and requests for production of documents. The responses are due on April 12, 2018.

6. Defendants noticed a deposition for the Person Most Knowledgeable at the Nevada Division of Water Resources, set for March 20, 2018 at 10:00 a.m., in Reno; the deposition was then rescheduled to April 18, 2018 at 9:00 a.m.

7. Defendant Winecup Gamble, Inc. informed Plaintiff that it will be engaging in repair work on the dams that are the subject of this action by the end of the month. The parties are working together to arrange a date to allow Plaintiff's expert to inspect the dams before repairs occur.

Therefore, there are no discovery issues at this time to bring before the Court.

WHEREFORE, Plaintiff and Defendants request that the case management conference scheduled for April 16, 2018 at 10:00 a.m. be vacated.

STIPULATED AND AGREED to on this 11th day of April, 2018.

Respectfully submitted,

PARSONS BEHLE & LATIMER

/s/ Ashley C. Nikkel

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*Attorneys for Plaintiff Union  
Pacific Railroad Compan*

Respectfully submitted,

SNELL & WILMER, L.L.P.

/s/ Michael R. Menssen

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Ryan Stodtmeister, Bar No. 14281  
- and -  
David J. Jordan, (Admitted Pro Hac Vice)  
Michael R. Menssen, (Admitted Pro Hac Vice)  
Stoel Rives, LLP

*Attorneys for Defendant Winecup Gamble, Inc.,  
and for Defendant Paul Fireman*

**IT IS SO ORDERED**

U.S. MAGISTRATE JUDGE

DATED: April 13, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the law firm of Parsons Behle & Latimer and that on the 11<sup>th</sup> day of April, 2018, I filed a true and correct copy of the foregoing **STIPULATION AND REQUEST TO VACATE CASE MANAGEMENT CONFERENCE** with the Clerk through the Court's CM/ECF system, which sent electronic notification to all registered users as follows:

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